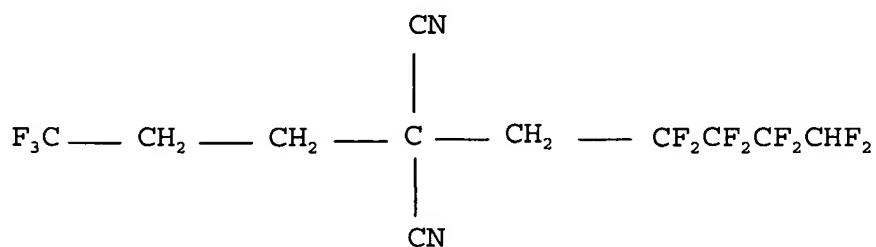


Remarks

In the Office Action of December 10, 2008, the Examiner required restriction among Groups I-VI as defined on page 3 of the Office Action. In response to the restriction requirement, Applicants hereby elect the subject matter of Group II, i.e. claims 1-11 and 14-33, drawn to a nitrile compound of formula I and a pesticidal composition of the compound wherein Q represents alkyl, alkenyl, or alkynyl optionally substituted with one or more halogens.

Referring to page 5 of the Office Action, the Examiner has also required an election of a single disclosed species, in response to which Applicants elect Compound No. 31 in Table 2 on page 119 of the specification. The structure for this compound is as follows:



All of claims 1-11 and 14-33, elected in response to the restriction requirement, read on the elected species.

Applicants emphasize that the foregoing elections are made while reserving their rights under 35 U.S.C. §121 to file a divisional application for the non-elected subject matter.

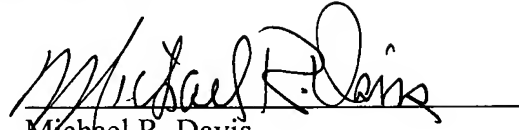
New claim 34 has been added to the application, and corresponds to original claim 2 except that it is limited to elected subject matter. Claim 34 also reads on the elected species.

Action on the merits is requested.

Respectfully submitted,

Daisuke OOHIRA et al.

By:

A handwritten signature in black ink, appearing to read "Michael R. Davis", is written over a horizontal line.

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